

UNANIMOUS CONSENT AGREEMENT

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 267, H.R. 6617; that the only amendments in order be the Lee amendment No. 4929, Braun amendment No. 4930, Cruz amendment No. 4927; that at 5:15 p.m., the Senate vote in relation to the amendments in the order listed; that upon disposition of the Cruz amendment, the bill be considered read a third time and the Senate vote on passage of the bill, as amended, if amended, with 60 affirmative votes required for adoption of the Braun amendment and on passage of the bill; and that there be 2 minutes for debate equally divided in the usual form prior to each vote, all without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FURTHER ADDITIONAL EXTENDING GOVERNMENT FUNDING ACT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 6617, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 6617) making further continuing appropriations for the fiscal year ending September 30, 2022, and for other purposes.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 4929

Mr. LEE. Mr. President, I call up my amendment No. 4929, and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Utah [Mr. LEE], for himself and Mr. MARSHALL, proposes an amendment numbered 4929.

The amendment is as follows:

(Purpose: To prohibit funding for COVID-19 vaccine mandates)

After section 101 in division A, insert the following:

SEC. 102. None of the funds appropriated or otherwise made available under the Continuing Appropriations Act, 2022 (division A of Public Law 117-43), as amended by this Act, may be obligated or expended to—

(1) implement or enforce—

(A) section 1910.501 of title 29, Code of Federal Regulations (or a successor regulation);

(B) Executive Order 14042 of September 9, 2021 (86 Fed. Reg. 50985; relating to ensuring adequate COVID safety protocols for Federal contractors);

(C) Executive Order 14043 of September 9, 2021 (86 Fed. Reg. 50989; relating to requiring Coronavirus Disease 2019 vaccination for Federal employees);

(D) the interim final rule issued by the Department of Health and Human Services on November 5, 2021, entitled “Medicare and Medicaid Programs; Omnibus COVID-19 Health Care Staff Vaccination” (86 Fed. Reg. 61555); or

(E) the memorandum signed by the Secretary of Defense on August 24, 2021, for

“Mandatory Coronavirus Disease 2019 Vaccination of Department of Defense Service Members”; or

(2) promulgate, implement, or enforce any rule, regulation, or other agency statement, that is substantially similar to a regulation, Executive Order, rule, or memorandum described in paragraph (1).

Mr. LEE. Mr. President, vaccine mandates are morally wrong and widely unpopular. Millions of Americans are still required by this Federal mandate to be vaccinated or lose their job.

The people’s elected lawmakers here in Congress haven’t instituted these mandates. No, there is no Federal law putting them in place. President Biden and his bureaucrats are just treading deeply into the personal medical choices of Americans without an act of Congress authorizing them to do so.

Now, Congress has the chance to make these millions of voices across America be heard. That is, after all, our job. Our sole job is to make Federal law, to give voice to those who elected us. We can state clearly, boldly, decisively today that Federal vaccine mandates do not belong in the United States of America.

We can stand for millions of vulnerable Americans who just want to go to work so that they have the chance simply to put food on the table for their families. That is not too much to ask.

The pandemic is waning, but it is waning just as our economic problems are just beginning. If we want to control the high price of everything, the lack of availability that comes with the related supply chain crisis, and keep the American economy moving, we must stand against these illegal, immoral, and unconstitutional mandates.

Look, the American people are sick and tired of the Federal Government micromanaging every minute detail of their lives. They are exhausted from the mandates and from the bureaucrats who they didn’t vote for and never could vote for and never would vote for.

The brave men and women of our military, the Federal workers, the Federal contractors, people who work for Federal contractors—even a subdivision of a Federal contractor that doesn’t actually provide any Federal contract work—along with medical professionals—all these workers across every part of our great land who are sucked up into this mandate, they all deserve better than pink slips and boots out the door, simply for making their own medical choices.

So I implore my colleagues with all the urgency I am capable of communicating, to stand up for American workers, stand up for our economy, stand up for freedom, and vote to withhold funding from these unconstitutional mandates.

It is quite significant that the very first clause of the very first section of the very first article of the Constitution says that “all legislative Powers herein granted shall be vested in the Congress of the United States, which

shall consist of a Senate and a House of Representatives.”

It matters that this clause comes first, before everything else. And the reason it matters is because it is there to remind us of something. The most dangerous power within our Federal Government is not with the judiciary, it is not with the executive branch; it is right here in this branch because we have the power to prescribe law. We have the power within our Federal Government to provide what should be, what the law says, what people have to do. That is why the Founding Fathers were careful not to entrust it to any branch of government other than this one, not because those who would occupy these positions would necessarily be any wiser or any brighter or inherently more cautious than everyone else, except in one critical respect: This is the Federal branch most accountable to the people at the most regular intervals. You can fire every Member of the House every 2 years. You can fire one-third of us every 2 years.

We are the branch that is accountable. That is why we have been given the most dangerous power within government, the power to make Federal law. How then does this relate to illegal, unconstitutional, immoral, and wildly unpopular vaccine mandates? Well, it matters because that is an exercise of Federal law that Congress never enacted.

They have arrogated to themselves within the executive branch an authority that they do not have based on a contrivance, based on a tortured, butchered manipulation of statutory text that doesn’t tell people that they have got to choose between getting an unwanted medical procedure and unemployment, unemployment in a context that it is likely to lead to unemployability. And, indeed, it was designed to do that. We know that because those who put these policies in place have told us as much.

Look, everybody has been through a lot in the last 2 years—Democrats, Republicans alike. This virus has been no respecter of persons, of red States and of blue States. Just the same, the American people understand that we are ready to move on. We are ready to not have government dictating every aspect of our lives.

COVID is no excuse for a government to do something that is categorically immoral. It is no excuse to do something that we all know is wrong. We would never justify anyone in rendering a threat against their friend, their neighbor, their employee, that if you don’t bow, if you don’t defer to Presidential medical orthodoxy, I am going to make you lose your job and make it impossible for you to put bread on the table for your children. No sane, moral, decent person would do that. We must not allow them to do that. We must never allow the executive branch of government to exercise authority

that they don't have because we didn't give it to them and they could never have it because the Constitution doesn't allow it.

We have got the chance right now to bring together red States and blue States alike, because, remember, it is not just red States anymore that are ditching these kind of draconian measures within their own State government systems. No. It is blue States left and right—Michigan, New York, New Jersey, Illinois. Many, many more blue States are joining the number of red States that have made this decision.

Enough is enough. It is time for us to live our lives. I encourage my colleagues to vote yes on my amendment, No. 4929, and let America work again.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for votes be as follows—LEE, CRUZ, and BRAUN—and that upon the disposition of the Braun amendment, the Senate vote on the passage of the bill, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Texas.

AMENDMENT NO. 4927

Mr. CRUZ. Mr. President, I call up my amendment No. 4927 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Texas [Mr. CRUZ] proposes an amendment numbered 4927.

The amendment is as follows:

(Purpose: To prohibit the use of Federal funding for schools and early childhood development facilities that enforce COVID-19 vaccine mandates on children in order to protect the rights of parents to make medical decisions that affect their child)

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON FEDERAL FUNDING OF SCHOOLS OR CHILD CARE CENTERS WITH STUDENT COVID-19 VACCINE MANDATES.

None of the funds made available under this Act or an amendment made by this Act may be provided or awarded, including by way of grant or subgrant, to any State educational agency, local educational agency, public school (including a public charter school), private or parochial school, child care center, or Head Start facility, that enforces any coronavirus SARS-CoV-2 vaccine mandate that requires a child or student under the age of 19 years to be immunized against COVID-19 as a condition of enrollment or in-person attendance at such school, center, or facility or to participate in any school-based or school-sponsored activities, including extracurricular activities.

Mr. CRUZ. Mr. President, I rise today to speak in opposition to the abuse of power we have seen with vaccine mandates.

Let me say that I emphatically support Senator LEE's amendment about which he just spoke.

President Biden's vaccine mandates are illegal. They have, in significant part, been struck down by the U.S. Supreme Court, and they are abusive.

When this pandemic began, Senators on both sides of the aisle gave passionate speeches about the heroes in our society—about the doctors and nurses risking their lives to keep us safe. Well, now, under this vaccine mandate, Democrats are firing doctors and nurses and then complaining that we have a shortage of doctors and nurses.

We have heard speeches about the heroes of our military men and women, and they undoubtedly are heroes. Yet, under President Biden's illegal vaccine mandates, this administration is preparing to fire soldiers and sailors and airmen and marines. This administration is preparing to fire Navy SEALs, who have spent decades training and fighting to defend this Nation, but because they will not submit to an arbitrary and illegal mandate, Democrats are preparing to fire them.

We have heard Members from both sides of the aisle give speeches about police officers and firefighters—the heroes of 9/11—who, on that tragic day, ran into the building while it was on fire instead out of the building while it was on fire. Yet, under these illegal vaccine mandates, Democrats are firing police officers and firefighters.

We are seeing airline flights canceled all over the country. Yet, under these illegal vaccine mandates, airline pilots and flight attendants and mechanics and ticket agents are being fired from their jobs.

Typically, when I fly back and forth to Houston, I fly either United Airlines or Southwest. United, the company, has an arbitrary policy wherein they are firing or putting on involuntary and unpaid leave any employee who refuses to get the vaccine. United is different from other airlines in that regard. They have done so because they want to curry favor with the Biden White House because United's CEO believes that making Democrats at 1600 Pennsylvania Avenue happy is somehow in its best interests.

Without exaggeration, every single time I board a United plane, a pilot, a flight attendant, a ticket agent pulls me aside and says: Thank you. Thank you for standing up and fighting for my rights. Why the heck won't my CEO fight for my rights?

We are seeing blue State Governors and blue State mayors who realize that firing American heroes and forcing people to make healthcare decisions against their wishes is bad politics. We are seeing blue State Governors and blue State mayors backing down. Yet I fear we will see blue State Democrats in the Senate—many of whom are not on the ballot, two-thirds of whom are not on the ballot this November—believing they can arbitrarily ignore the will of the people.

Just yesterday, the people of San Francisco—bright blue, leftwing San

Francisco—voted out three members of the school board over their arbitrary and tyrannical COVID policies that shut down schools for a year. The vote was nearly 80 percent to throw them out. I would note, by the way, that their defense was, they said, that everybody voting against them was a White supremacist. These were closet Republicans, they said, in San Francisco. San Francisco voted 85 percent for Joe Biden, but apparently there are a bunch of closet Republicans there.

My Democratic colleagues are ignoring the will of the people and giving in to extreme partisan positions on COVID.

Any Democrat, particularly any Democrat on the ballot in November, ought to look to San Francisco, ought to look to the Virginia Governor's race, ought to look to the New Jersey Governor's race and realize the Democratic Party is out of step with the American people.

Senator LEE's amendment repeals the illegal and abusive vaccine mandates from President Biden.

My amendment is focused on an area that people, understandably, rightly, are deeply passionate about, which is stopping the vaccine mandates on children.

We have seen jurisdictions all over the country impose vaccine mandates and say to parents: If you want your child to go to school, either give the child the vaccine or you can't send your kid to school.

That is an absolute abuse of power.

The choice of the healthcare your kid gets ought to be the choice of the parents. If you want to vaccinate your children, that ought to be your choice; you ought to have the right. Yet we are seeing arrogant blue State Democrats across the country say to moms and dads: I don't care what your views are.

Indeed, the Democratic candidate for Governor of Virginia said quite brazenly: Parents should have no say in what is taught to their kids.

By the way, this is applying to children as young as 5 years old. We are, right now, in the District of Columbia. If a Member of Congress has children in the schools in DC, the District of Columbia is mandating you must vaccinate your 5-year-old whether you want to or not.

That is wrong.

My amendment is very simple. It cuts off Federal funds for any institution that forces a vaccine mandate on kids. There are nearly 81 million kids in America whose rights are in jeopardy.

The arrogance of these petty authoritarians' at-a-time-of-crisis character is revealed, and we are seeing petty authoritarians who say: Mom, you don't have the right to decide whether or not your 5-year-old, your 6-year-old, your 7-year-old will get this vaccine.

Who the heck do they think they are?

I repeat: If you want to vaccinate your kids, that is your right, and you

should do so, but these petty tyrants have no right to force parents to vaccinate children with a new and untested vaccine.

Let me be clear. I am vaccinated—I am pro-vaccine—but I believe in individual choice. If you want to be vaccinated, fantastic, but it ought to be your choice in consultation with your doctor, and if you have kids, you ought to talk to your doctor and say: Hey, Doc, what does the evidence show about the impact on kids? You ought to have a real and candid conversation with your doctor, not with some political bureaucrat in Washington, DC, or in the State capitol or at city hall.

These mandates are wrong. They are wrong in every capacity but especially as it concerns kids.

I say to the petty tyrants—the same people, by the way, who shut down schools for a year. I mentioned a second ago the San Francisco school board. One of the school board members voted out by nearly 80 percent of the voters in San Francisco said—and I mentioned this—the people who voted against me and the people who want to open schools are White supremacists.

The millions of kids who have been hurt by school closures will be academically behind for the rest of their lives, and that harm has fallen disproportionately on low-income kids. It has fallen disproportionately on African-American kids. It has fallen disproportionately on Hispanic kids, and we have got a bunch of rich, White liberals saying to low-income minority kids: Well, tough luck. You don't get to go to school.

Mind you, many of those rich, White liberals can afford to send their kids to private schools so their kids keep getting educated, but the low-income kids are out of luck.

Then, in this “Alice in Wonderland” world we live in, arrogant leftists say: If you want schools open—if you want African-American kids and Hispanic kids to be able to go to school and learn to read and learn to write and learn math and history and science and art and climb the economic ladder and have a chance at the American dream—and if you want minority kids to have a chance to succeed, you are a White supremacist.

Anyone listening to those words understands why the American people are angry.

I pray that, in just a few minutes, the Senate does the right thing and rational thing. These votes, in any sane world, should be 100 to nothing. We should stand for people's individual rights, individual liberties. We should stand against petty tyrants trampling on our rights. In just a few minutes, we will see where every Senator in this body stands. I pray that we stand with the people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 4929

Mrs. MURRAY. Mr. President, I rise to speak against the Lee amendment,

which we will be voting on in just a minute.

We are working to rebuild our economy, and we are working to end a pandemic that has killed over 900,000 people. So why are a few Senate Republicans, once again, risking a government shutdown and creating problems rather than trying to work with us on the ones that our country already faces?

This is not the first time I have had to point out to a handful of Senate Republicans that shutting down the government in the middle of a pandemic is a bad idea. It should be obvious, but here I am, once again, because my colleagues are here, once again, pretending that the biggest threat to our Nation is not the virus but, instead, vaccines and tests and masks, which have helped to actually save lives. This makes about as much sense as blaming the rescue crew for a shipwreck and threatening to sink the lifeboat unless they don't stop helping.

We all want this pandemic to end; we want our schools to stay open safely; and we want people to be able to go to work safely and go about their lives like before.

We are making real progress toward the goal of putting this pandemic behind us. One way to continue this progress is to do what the vast majority of Senators—Democrat and Republican—are prepared to do: vote to keep the government open so we can work together on funding the Nation's priorities through regular order.

I urge all of my colleagues to vote against this completely unnecessary amendment, against a government shutdown, and for common sense.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 4927

Mr. Kaine. Mr. President, I rise to speak in opposition to Senator Cruz's amendment, No. 4927.

Everyone in this body who attended school in the United States had to get vaccines to attend school—measles, mumps, rubella, polio, chickenpox. Everyone in this body who sent a child to school in the United States had to make sure that they got their children vaccinated.

Is that because of a big Federal mandate? No.

All 50 States—Utah, Texas, New York, Maine, Washington, Rhode Island, Wisconsin, Virginia—embraced their own vaccine mandates—all 50. There are some variations. Iowa doesn't mandate a mumps vaccine, and Virginia mandates a human papillomavirus vaccine, but we leave it up to local school boards and State superintendents of instruction to decide if a vaccine is warranted.

This is unprecedented in this body, an effort by the Federal Government to force local school boards and State superintendents of instruction to not have a vaccine mandate at the cost of taking money away from the students and the teachers and the parents.

In Virginia, parents very strongly support vaccination of children. Why would we not listen to parents? Why would we not listen to the local school boards that are hearing from parents about this?

I urge my colleagues to reject a massive Federal overreach that would disempower school boards and States and take funding away from their children's education.

Please vote no on the Cruz amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. Lee. Mr. President, the American people do not want a Federal vaccine mandate. The American people just want to be able to go about doing their jobs. They want to be able to go work. They don't want to be told by someone who lacks the authority that they have to choose between an unwanted medical procedure on the one hand and on the other hand, losing their ability to put bread on the table.

It is not just illegal; it is not just immoral; it is wrong. We all know it is wrong, and we know that it is time to end this.

Please vote yes on my amendment.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Mr. President, I ask unanimous consent that all remaining time be yielded back before the Lee and Cruz amendment votes and that the Senate now vote in relation to the Lee amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 4929

Under the previous order, the question occurs on agreeing to amendment No. 4929, offered by the Senator from Utah, Mr. Lee.

Mr. Lee. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. Durbin. I announce that the Senator from California (Mrs. Feinstein), the Senator from Arizona (Mr. Kelly), and the Senator from New Mexico (Mr. Lujan) are necessarily absent.

Mr. Thune. The following Senators are necessarily absent: the Senator from North Carolina (Mr. Burr), the Senator from South Carolina (Mr. Graham), the Senator from Oklahoma (Mr. Inhofe), and the Senator from Utah (Mr. Romney).

The result was announced—yeas 46, nays 47, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—46

| | | |
|-----------|---------|------------|
| Barrasso | Collins | Ernst |
| Blackburn | Cornyn | Fischer |
| Blunt | Cotton | Grassley |
| Boozman | Cramer | Hagerty |
| Braun | Crapo | Hawley |
| Capito | Cruz | Hoeven |
| Cassidy | Daines | Hyde-Smith |

Johnson
Kennedy
Lankford
Lee
Lummis
Marshall
McConnell
Moran
Murkowski

Paul
Portman
Risch
Rounds
Rubio
Sasse
Scott (FL)
Scott (SC)
Shelby

Sullivan
Thune
Tillis
Toomey
Tuberville
Wicker
Young

Shelby
Sullivan
Thune

Tillis
Toomey
Tuberville

Wicker
Young

NAYS—49

Baldwin
Bennet
Blumenthal
Blunt
Booker
Brown
Cantwell
Cardin
Carper
Casey
Coons
Cortez Masto
Duckworth
Durbin
Gillibrand
Hassan
Heinrich

Heinrich
Hickenlooper
Hirono
Kaine
King
Klobuchar
Leahy
Manchin
Markey
Menendez
Merkley
Murphy
Murray
Ossoff
Padilla
Peters
Reed

Rosen
Sanders
Schatz
Schumer
Shaheen
Sinema
Smith
Stabenow
Tester
Van Hollen
Warner
Warnock
Warren
Whitehouse
Wyden

NAYS—47

Baldwin
Bennet
Blumenthal
Booker
Brown
Cantwell
Cardin
Carper
Casey
Coons
Cortez Masto
Duckworth
Durbin
Gillibrand
Hassan
Heinrich

Hickenlooper
Hirono
Kaine
King
Klobuchar
Leahy
Manchin
Markey
Menendez
Merkley
Murphy
Murray
Ossoff
Padilla
Peters
Reed

Rosen
Sanders
Schatz
Schumer
Shaheen
Sinema
Smith
Stabenow
Tester
Van Hollen
Warner
Warnock
Warren
Whitehouse
Wyden

NOT VOTING—7

Burr
Feinstein
Graham

Inhofe
Kelly
Lujan

Romney

The amendment (No. 4929) was rejected.

The PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Mr. President, I think the Members will like this announcement. I ask unanimous consent that the remaining votes be 10 minutes in duration each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 4927

Under the previous order, the question occurs on agreeing to amendment No. 4927, offered by the Senator from Texas, Mr. CRUZ.

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays have been requested.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Arizona (Mr. KELLY), and the Senator from New Mexico (Mr. LUJÁN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Utah (Mr. ROMNEY).

The result was announced—yeas 44, nays 49, as follows:

[Rollcall Vote No. 62 Leg.]

YEAS—44

Barrasso
Blackburn
Boozman
Braun
Capito
Cassidy
Cornyn
Cotton
Cramer
Crapo
Cruz
Daines

Ernst
Fischer
Grassley
Hagerty
Hawley
Hoeben
Hyde-Smith
Johnson
Kennedy
Lankford
Lee
Lummis

Marshall
McConnell
Moran
Murkowski
Paul
Portman
Risch
Rounds
Rubio
Sasse
Scott (FL)
Scott (SC)

The amendment (No. 4927) was rejected.

The PRESIDENT pro tempore. The Senator from Indiana.

AMENDMENT NO. 4930

Mr. BRAUN. Mr. President, I call up my amendment No. 4930 and ask that it be reported by number.

The PRESIDENT pro tempore. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from Indiana [Mr. BRAUN] proposes an amendment numbered 4930.

The amendment is as follows:

(Purpose: To strike the Statutory PAYGO exemption and require balanced budgets in concurrent resolutions on the budget)

On page 8, strike lines 3 through 6 and insert the following:

(a) POINT OF ORDER AGAINST BUDGET RESOLUTIONS THAT DO NOT INCLUDE A BALANCED BUDGET.—

(1) POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget that does not reduce the deficit to zero on or before the end of the 9th fiscal year after the budget year.

(2) WAIVER AND APPEAL.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

The PRESIDENT pro tempore. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 4932, offered by the Senator from Indiana, Mr. BRAUN.

There are 2 minutes of debate.

Mr. BRAUN. I came here 3 years ago with a mission to rein in debt and deficits. I think few of us actually care much about that here, in my observation. If we did, we wouldn't be passing our third short-term spending measure in 5 months. It should have been done last year.

In a few weeks, we will pass an Omnibus bill that we will all say was bipartisan, and we will go on down the road. Meanwhile, inflation will be surging ahead—7 percent, 8 percent—the highest since 1982. The last time we voted

on a balanced budget amendment was in 2011. By the way, both Democrats and Republicans supported it back then.

I am proposing something very simple, very low-threshold. It creates a point of order against any budget resolution that doesn't reach a balanced budget in 10 years. That is so simple, everyone, including the Presiding Officer banging the gavel, ought to be for it for the sake of our kids and our grandkids.

Mr. LEAHY. Mr. President, the amendment offered by the Senator from Indiana would mandate extreme, across the board cuts to Federal programs that the American people rely on.

Under this amendment, Congress would need to callously slash \$1.4 trillion in a vain effort to close the budget deficit through spending cuts in the 10th year of a budget resolution. Spread evenly across all Federal programs, this would result in a \$350 billion cut to Medicare, a \$180 billion cut to Medicaid, and an \$82 billion cut to veterans' programs, in just 1 year.

Nutrition programs that help families make ends meet by putting food on the table would be slashed by a quarter. Affordable housing, healthcare, education, name the Federal program that people in your communities rely on, and it will be cut by a quarter.

The Senator's amendment would require a two-thirds vote to pass any budget resolution that does not balance the budget in the 10th year. The last two budget resolutions written by Senate Republicans would have violated this rule.

Being responsible stewards of Americans' hard-earned tax dollars is a bipartisan priority, but this is not responsible stewardship. I urge a no vote.

The PRESIDENT pro tempore. Does anybody yield back in opposition?

Mrs. MURRAY. I yield back our time.

The PRESIDENT pro tempore. The Senator yields back time.

VOTE ON AMENDMENT NO. 4930

The PRESIDENT pro tempore. The question is on adoption of the amendment by the Senator from Indiana (Mr. BRAUN).

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Arizona (Mr. KELLY), the Senator from New Mexico (Mr. LUJÁN), and the Senator from Nevada (Mr. ROSEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr.

INHOFE), and the Senator from Utah (Mr. ROMNEY).

The result was announced—yeas 47, nays 45, as follows:

[Rollcall Vote No. 63 Leg.]

YEAS—47

| | | |
|-----------|------------|------------|
| Barrasso | Hagerty | Risch |
| Blackburn | Hawley | Rounds |
| Blunt | Hoeben | Rubio |
| Boozman | Hyde-Smith | Sasse |
| Braun | Johnson | Scott (FL) |
| Capito | Kennedy | Scott (SC) |
| Cassidy | Lankford | Shelby |
| Cornyn | Lee | Sinema |
| Cotton | Lummis | Sullivan |
| Cramer | Manchin | Thune |
| Crapo | Marshall | Tillis |
| Cruz | McConnell | Toomey |
| Daines | Moran | Tuberville |
| Ernst | Murkowski | Wicker |
| Fischer | Paul | Young |
| Grassley | Portman | |

NAYS—45

| | | |
|--------------|--------------|------------|
| Baldwin | Hassan | Peters |
| Bennet | Heinrich | Reed |
| Blumenthal | Hickenlooper | Sanders |
| Booker | Hirono | Schatz |
| Brown | Kaine | Schumer |
| Cantwell | King | Shaheen |
| Cardin | Klobuchar | Smith |
| Carper | Leahy | Stabenow |
| Casey | Markey | Tester |
| Collins | Menendez | Van Hollen |
| Coons | Merkley | Warner |
| Cortez Masto | Murphy | Warnock |
| Duckworth | Murray | Warren |
| Durbin | Ossoff | Whitehouse |
| Gillibrand | Padilla | Wyden |

NOT VOTING—8

| | | |
|-----------|--------|--------|
| Burr | Inhofe | Romney |
| Feinstein | Kelly | Rosen |
| Graham | Lujan | |

The PRESIDENT pro tempore. On this vote, the yeas are 47, the nays are 45.

Under the previous order requiring 60 votes for the adoption of the amendment, the amendment is not agreed to.

The amendment (No. 4930) was rejected.

The bill was ordered to a third reading and was read the third time.

The PRESIDENT pro tempore. There are two minutes of debate equally divided prior to the vote on passage.

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays have been requested.

Without objection, all time is yielded back.

There is a request for the yeas and nays.

VOTE ON H.R. 6617

The bill having been read the third time, the question is, Shall the bill pass?

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Arizona (Mr. KELLY), the Senator from New Mexico (Mr. LUJÁN) and the Senator from Nevada (Ms. ROSEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the

Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Utah (Mr. ROMNEY).

The result was announced—yeas 65, nays 27 as follows:

[Rollcall Vote No. 64 Leg.]

YEAS—65

| | | |
|--------------|--------------|------------|
| Baldwin | Heinrich | Reed |
| Barrasso | Hickenlooper | Rounds |
| Bennet | Hirono | Rubio |
| Blumenthal | Hyde-Smith | Sanders |
| Blunt | Kaine | Schatz |
| Booker | Kennedy | Schumer |
| Brown | King | Shaheen |
| Cantwell | Klobuchar | Shelby |
| Capito | Leahy | Sinema |
| Cardin | Manchin | Smith |
| Carper | Markey | Stabenow |
| Casey | McConnell | Tester |
| Cassidy | Menendez | Tillis |
| Collins | Merkley | Van Hollen |
| Coons | Moran | Warner |
| Cornyn | Murkowski | Warnock |
| Cortez Masto | Murphy | Warren |
| Duckworth | Murray | Whitehouse |
| Durbin | Ossoff | Wicker |
| Gillibrand | Padilla | Wyden |
| Hagerty | Peters | Young |
| Hassan | Portman | |

NAYS—27

| | | |
|-----------|----------|------------|
| Blackburn | Fischer | Paul |
| Boozman | Grassley | Risch |
| Braun | Hawley | Sasse |
| Cotton | Hoeben | Scott (FL) |
| Cramer | Johnson | Scott (SC) |
| Crapo | Lankford | Sullivan |
| Cruz | Lee | Thune |
| Daines | Lummis | Toomey |
| Ernst | Marshall | Tuberville |

NOT VOTING—8

| | | |
|-----------|--------|--------|
| Burr | Inhofe | Romney |
| Feinstein | Kelly | Rosen |
| Graham | Lujan | |

The PRESIDING OFFICER (Mr. KAINE). On this vote, the yeas are 65, the nays are 27.

The 60-vote threshold having been achieved, the bill is passed.

The bill (H.R. 6617) was passed.

The PRESIDING OFFICER. The Senator from Oregon.

NOMINATION OF MICHELE TAYLOR

Mr. WYDEN. Mr. President, earlier this afternoon, I made it clear I was going to put forward a unanimous consent request asking the Senate to take up and approve the nomination of Michele Taylor, to serve as the U.S. Representative to the UN Human Rights Council with the rank of Ambassador, and in just a minute and a half or so, I will make that unanimous consent request.

Ms. Taylor has an exceptional record with respect to humanitarian issues. She has served on the Anti-Defamation League, the U.S. Holocaust Memorial Council. She has been a strong advocate for the rights of women.

I come from a family who lost relatives in the Holocaust. Ms. Taylor is the daughter of a Holocaust survivor. And it is absolutely essential that we up the ante in the fight against anti-Semitism, and that is a key part of this country's diplomacy.

The reason that I am making this unanimous consent tonight is that Michele Taylor is unquestionably qualified for this important post, but there is a real time sensitivity to her nomination being cleared tonight. The

regular session of the U.N. Human Rights Council begins on February 28, obviously just a few days away. It is absolutely essential that we confirm our representative now. Delaying Ms. Taylor's confirmation would obviously hinder the U.S. ability to advocate for American values and help vulnerable people who suffer under abuse and oppression around the world. And she will be able to build on some particularly important work that is going on in the Senate Committee on Finance, led by Senator BROWN and Senator CRAPO, working, for example, on forced labor and other issues that involve critically important human rights questions.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 640, Michele Taylor, of Georgia, for the rank of Ambassador during her tenure of service as United States Representative to the UN Human Rights Council; that the Senate vote on the nomination without any intervening action or debate; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nomination be printed in the Record; that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Michele Taylor, of Georgia, for the rank of Ambassador during her tenure of service as United States Representative to the UN Human Rights Council.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Taylor nomination?

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

SENATE ACCOMPLISHMENTS

Mr. SCHUMER. Mr. President, it has been a busy and productive work period in the Senate.

First, the good news is that we have kept the government open. It took some work, especially when the Senate rules lend themselves to delay and obstruction. Still, I thank Senators LEAHY and SHELBY, as well as Leader MCCONNELL, for helping us get this done. To have allowed the government to close would have caused undue hardship for millions of blameless Americans.

We have gotten other things done, too, in this work period.

We passed forced arbitration reform, made progress to fix our post office, and confirmed more of the President's nominees.